

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

SMART COMMUNICATIONS SYSTEMS,	)	
LLC, ET AL.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 17-2488-JAR
	)	
REGION CONSTRUCTION, INC., ET AL.	)	
	)	
Defendants.	)	

**ORDER**

Plaintiffs have filed a motion requesting the sealing of certain previously filed exhibits and leave to file redacted replacement exhibits (ECF No. 25). The motion is granted in part and denied in part.

The only stated basis for plaintiffs' request is that the exhibits contain the federal tax identification number (EIN) for defendants' businesses. Fed. R. Civ. P. 5.2(a) requires the redaction of taxpayer identification numbers in filings made with the court. Thus, where an EIN was included in a previously filed exhibit, **the clerk of court is directed to seal that exhibit and work with plaintiffs' counsel to substitute a redacted exhibit.** The court has identified EINs in the following documents, all of which should now be sealed and redacted versions substituted: ECF Nos. 1-1, 8-1, 13-1,<sup>1</sup> 1-2, 8-2, 13-2,<sup>2</sup> 1-3, 8-3, 13-3, 1-4, 8-4, 13-4,

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<sup>1</sup>The court notes that ECF Nos. 1-1, 8-1, and 13-1 should NOT be replaced with the document plaintiffs propose, ECF No. 25-1, because that document fails to redact an EIN on

1-5, 8-5, 13-5, 2-1, 8-14, 13-14, 1-13, 8-15, and 13-15.

However, plaintiffs' motion requests the sealing and substitution of a number of previously filed exhibits that do not contain EINs. Because plaintiffs' motion does not give a reason why such exhibits should be sealed, the motion is denied as to those exhibits. Specifically, the court denies plaintiffs' request to seal the following exhibits: ECF Nos. 1-6, 8-6, 13-6, 1-7, 8-7, 13-7, 1-8, 8-8, 13-8, 1-9, 8-9, 13-9, 1-11, 8-10, 13-10, 1-12, 8-12, 13-12, 2-2, 8-13, and 13-13.

Finally, the court denies without prejudice plaintiffs' motion to seal and substitute ECF Nos. 1-10, 8-11, and 13-11. These exhibits are identical copies of a 144-page document. Plaintiff has not indicated where in this lengthy document an EIN is identified. Plaintiff may refile his motion as to this document provided he identifies the page number(s) containing information falling under Rule 5.2.

IT IS SO ORDERED.

Dated November 2, 2017, at Kansas City, Kansas.

s/ James P. O'Hara  
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James P. O'Hara  
U. S. Magistrate Judge

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<sup>2</sup>The court notes that ECF Nos. 1-2, 8-2, and 13-2 should NOT be replaced with the document plaintiffs propose, ECF No. 25-2, because that document fails to redact an EIN on page 11.